

court vacancies doubled. When Democrats regained the Senate majority halfway into President Bush's first year in office, we turned away from these bad practices. As a result, overall judicial vacancies were reduced during the Bush years from more than 10 percent to less than 4 percent. During the Bush years, the Federal court vacancies were reduced from 110 to 34 and Federal circuit court vacancies were reduced from a high of 32 down to single digits.

This progress has not continued with a Democratic President back in office. Instead, Senate Republicans have returned to the strategy they used during the Clinton administration of blocking the nominations of a Democratic President, again leading to skyrocketing vacancies. Last year the Senate confirmed only 12 Federal circuit and district court judges, the lowest total in 50 years. This year we have yet to confirm 30 Federal circuit and district judges. We are not even keeping up with retirements and attrition. As a result, judicial vacancies are now at 111, again more than 10 percent.

Regrettably, the Senate is not being allowed to consider the consensus, mainstream judicial nominees favorably reported from the Judiciary Committee. It has taken nearly five times as long to consider President Obama's judicial nominations as it did to consider President Bush's during his first 2 years in office. During the first 2 years of the Bush administration, the 100 judges confirmed were considered by the Senate an average of 25 days from being reported by the Judiciary Committee. The average time for confirmed circuit court nominees was 26 days. By contrast, if the Senate were allowed to consider the 34 judicial nominees being stalled by Republican objection and they were all confirmed this week, the average time Federal circuit and district and circuit court judges have been forced to wait after being considered and favorably recommended by the Judiciary Committee since President Obama took office would be five times that of those confirmed during the first 2 years of the Bush administration.

Time is running out in this Congress for Republicans to turn away from the disastrous strategy of blocking nominations across the board. The Senate's longstanding traditions demand that we reject this practice of obstruction. The Federal courts are suffering from rising vacancies and crushing case-loads. The victims are the American people who depend on the courts for justice.

#### ADDITIONAL STATEMENTS

##### REMEMBERING JUDGE VINCENT MICELI

• Mrs. BOXER. Mr. President, I ask my colleagues to recognize the extraordinary legacy of the late retired Riverside Superior Court Judge Victor

Miceli, who passed away on September 16, 2010. He was a champion of justice, leader of city restoration projects, and preserver of the history of the city of Riverside, CA—his adopted hometown for which he worked diligently for nearly half a century.

After graduating from the University of Pittsburgh Law School in 1952 and serving as the judge advocate general in the U.S. Army, Vincent Miceli relocated to Riverside in 1961. He opened a private civil practice, which he maintained until he was appointed by Governor George Deukmejian to the Superior Court in 1986. Throughout his tenure, during which he served as a presiding judge, he rendered decisions in many high-profile cases, including those involving local politics, city growth, and environmental issues.

Judge Miceli's civic involvement included establishing Federal and State appellate courthouses in downtown Riverside, shaping this area as a justice center enhanced by \$100 million in new construction. He also spearheaded restoration of the historic 1903 Beaux Arts courthouse on the city's Main Street and contributed to the restoration and preservation of the city's historic Evergreen Cemetery. In the words of retired appellate Judge John Gabbert: "His contributions to the City and County of Riverside have just been beyond measure."

I extend my heartfelt condolences to Judge Miceli's family, friends, and colleagues. He will be truly missed.●

##### REMEMBERING CHARLES RAY CARR

• Mr. SHELBY. Mr. President, I wish to pay tribute to Charles Carr, who passed away on December 2, 2010, following a life dedicated to service, family, and his community. He was a personal friend and, along with his family, I mourn his passing.

A native of Blount County, AL, Charles was a graduate of Oneonta High School and Snead State Junior College. After earning his bachelor's and master's degree in education from Auburn University, Charles began his distinguished career as an educator in the Blount County public schools. Later, he taught at Snead State Junior College and Wallace State Community College. Charles was a well-liked and admired educator by his former colleagues and students.

After serving 13 years in the classroom, his love of teaching and public service led him to Alabama's State capitol where he served on the staff and in the cabinet for Governors George Wallace and Guy Hunt as the director of postsecondary education. There, he also served as a mentor to many of those who would cross his path and give a helping hand to those who felt they did not have a voice. In doing so, he built a wide network of friends across the State.

After leaving the government to work as a private consultant, Charles

joined Community Bank. Later, in 2002, he became the executive director of the Blount County-Oneonta Chamber of Commerce, a position that brought him joy and satisfaction. He was deeply committed to his community and I know that he enjoyed promoting it through his position with the chamber.

While Charles had great success in his career, he was first and foremost a family man. He was devoted to his cherished wife and son and enjoyed spending time with his extended family. He is survived by his wife Brenda Maynor Carr of Union Grove; son Jonathan Elliott Carr of Washington, DC; and two brothers, Jim Carr of Oneonta and Ken Carr of Houston, TX.

I ask my colleagues to join me in recognizing and honoring the life of my friend, Charles Carr. He will be greatly missed by all who knew him.●

#### MESSAGE FROM THE HOUSE

##### ENROLLED BILLS SIGNED

At 10:03 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 3998. An act to extend the Child Safety Pilot Program.

H.R. 4994. An act to extend certain expiring provisions of the Medicare and Medicaid programs, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. INOUE).

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 4023. A bill to provide for the repeal of the Department of Defense policy concerning homosexuality in the Armed Forces known as "Don't Ask, Don't Tell".

#### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, December 10, 2010, she had presented to the President of the United States the following enrolled bill:

S. 3998. An act to extend the Child Safety Pilot Program.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-8407. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pesticide Tolerance Crop Grouping Program II; Revisions to General Tolerance Regulations" (FRL No. 8853-8) received in the Office of the President of the Senate on December 7, 2010; to the Committee on Agriculture, Nutrition, and Forestry.